

SENATE, No. 250

STATE OF NEW JERSEY

INTRODUCED MAY 18, 1942

By Mr. FARLEY

(Without Reference)

AN ACT concerning civilian defense during the war emergency.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. The purpose of this act is to provide for the health, safety and welfare
2 of the people of the State of New Jersey and to aid in the prevention of dam-
3 age to and the destruction of property during the present war emergency
4 by prescribing a course of conduct for the civilian population of this State
5 during such war emergency and by centralizing control of all civilian
6 activities having to do with the war emergency under the Governor and for
7 that purpose to give to the Governor control over such resources of the
8 State government and of each and every political subdivision thereof as may
9 be necessary to cope with any condition that shall arise out of such war
10 emergency and to invest the Governor with all other power convenient or
11 necessary to effectuate such purpose.

1 2. In case of disaster arising out of the war emergency or of threat-
2 ened or imminent disaster arising therefrom, the Governor is authorized to
3 utilize and employ all the available resources of the State government and
4 of each and every political subdivision of this State, whether of men, prop-
5 erties or instrumentalities, and to commandeer and utilize any personal
6 services and any privately owned property necessary to avoid or protect
7 against such disaster or threatened disaster subject to the future payment of
8 the reasonable value of such services and privately owned property as here-
9 inafter in this act provided.

1 3. In carrying out the provisions of this act the Governor shall co-
2 operate with the civil, military and naval authorities of the United States
3 and of other States for the purpose of enforcing the defense policies of
4 the government of the United States and shall conform to the laws, orders,
5 rules and regulations of the civilian, military and naval authorities of the
6 United States government.

1 4. The Governor is authorized to require any public official, citizen or
2 resident of this State or any firm, partnership, or corporation, incorporated
3 or doing business in this State, to furnish to him any information reason-
4 ably necessary to enable him to carry out the purposes of this act.

1 5. There is hereby created the office of civilian defense director. The
2 civilian defense director shall be appointed by the Governor and shall hold
3 office at the will and pleasure of the Governor with or without compensa-
4 tion in the discretion of the Governor. He shall assist the Governor in
5 effectuating the purposes of this act and, to that end, the Governor is em-
6 powered to delegate to the said civilian defense director any of the powers
7 conferred by this act upon the Governor to the extent that such delegation
8 of power is, in the judgment of the Governor, necessary; *provided, however,*
9 that all such powers shall be exercised in the name of the Governor. The
10 Governor is authorized to establish an adequate organization to assist in
11 supervising and co-ordinating the civilian defense activities of the State gov-
12 ernment and of all of the political subdivisions of this State and for that
13 purpose the said Governor is authorized and empowered, within the limits
14 of appropriations, to establish and operate such district and regional offices
15 as may be necessary. Nothing contained herein shall be construed to em-
16 power the Governor to delegate to the civilian defense director any of the
17 powers heretofore conferred upon the Department of State Police or the
18 Adjutant-General's Department.

1 6. The Governor is empowered to appoint one or more deputies or as-
2 sistants whom the Governor deems necessary to assist in effectuating the
3 purposes of this act and to fix their compensation, designation, title,
4 powers and duties.

1 7. There is hereby created the Governor's war emergency cabinet, which
2 shall be composed of the President of the Senate, the Speaker of the House
3 of Assembly, the Adjutant-General, the Superintendent of State Police, the
4 civilian defense director and such other members as the Governor shall from
5 time to time deem necessary, all of whom so appointed by the Governor shall
6 serve, in his cabinet, at the will and pleasure of the Governor. The Gov-
7 ernor's war emergency cabinet shall assist the Governor in effectuating
8 the purposes of this act, but final determination on all matters considered by
9 the Governor's war emergency cabinet shall be the sole responsibility of the
10 Governor. Upon the effective date of this act, the New Jersey Defense
11 Council shall cease to function and all of its records shall be forthwith
12 transferred to the custody of the Governor's war emergency cabinet.

1 8. It shall be the duty of the members of the governing body and of each
2 and every officer, agent and employee of every political subdivision of this
3 State and of each member of all other governmental bodies, agencies and
4 authorities of any nature whatsoever fully to co-operate with the Governor
5 and the civilian defense director in all matters affecting the war emergency.
6 The Governor is authorized to make, amend and rescind orders, rules and
7 regulations as in this act provided, and it shall be unlawful for any munici-
8 pality or other subdivision or any other governmental agency of this State to
9 adopt any rule or regulation or to enforce any such rule or regulation that
10 may be at variance with any such order, rule or regulation established by
11 the Governor. In the event of a dispute on the question of whether or not
12 any such rule or regulation is at variance with an order, rule or regulation
13 established by the Governor under this act, the determination of the Gov-
14 ernor shall control.

1 9. Every municipality of this State, other than counties, shall create a
2 local defense council. Each local defense council shall be composed of not
3 more than fifteen members who shall be appointed by the mayor or chief
4 executive officer of the municipality and shall hold office at the will and pleas-
5 ure of the appointing authority. The local defense council shall elect a chair-

6 man who shall be known as the local chairman. The mayor or chief execu-
7 tive officer of the municipality shall be ex officio a member of the local de-
8 fense council. The local defense council shall assist the municipality in
9 establishing the various local volunteer agencies needed to meet the
10 requirements of all local civilian defense activities in accordance with
11 rules and regulations established by the Governor in pursuance of the pro-
12 visions of this act. The local defense council is authorized, within the limits
13 of appropriations, to establish an adequate organization to assist in super-
14 vising and co-ordinating the civilian defense activities of the local munici-
15 pality. It shall be lawful for the members of the local defense council also to
16 be members of other agencies created because of the war emergency. Upon the
17 effective date of this act, the local defense councils heretofore appointed shall
18 become the respective local defense councils provided for in this act and shall
19 thereafter continue to function as such local defense councils, subject to the
20 provisions of this act.

1 10. The Governor may remove any local chairman at any time for cause
2 and in such event such local chairman shall cease to act in such capacity but
3 shall remain a member of the local defense council subject to the provisions of
4 this act. In the event of such removal, the local defense council shall elect a
5 new chairman. If the local defense council shall not elect a local chairman
6 within ten days after such chairmanship shall become vacant, the Governor
7 may appoint a temporary local chairman who shall serve and perform all of
8 the duties of the local chairman until such time as a local chairman shall be
9 elected by the local defense council. The local chairman shall co-ordinate the
10 the activities of all the local municipal agencies having any connection with
11 local defense activities and shall assist the Governor in effectuating the pur-
12 poses of this act.

1 11. Every political subdivision of this State is authorized to create by
2 resolution any other agencies or instrumentalities that may be needed in
3 order to meet the problems presented by the present war emergency not
4 at variance with such rules and regulations as shall be established by the
5 Governor. Any such agencies heretofore or hereafter established shall im-

6 mediate conform to the rules and regulations that may be adopted and
7 promulgated by the Governor.

1 12. No private civilian agency of any nature whatsoever, carrying on
2 any activities connected with the war emergency, shall operate within the
3 State of New Jersey without the approval of the Governor. Any person who
4 shall be an officer, employee, agent or member of or who shall knowingly per-
5 form any work or activities connected with any such agency, which has not
6 received the approval of the Governor, shall be guilty of a violation of this
7 act.

1 13. In order to accomplish the purposes of this act, the Governor is
2 empowered to make such orders, rules and regulations as may be necessary
3 adequately to meet the various problems presented by the said war emer-
4 gency and from time to time to amend or rescind such orders, rules and
5 regulations, including among others the following subjects:

6 a. On matters pertaining to the method of conducting black-outs,
7 partial black-outs, and modifying and controlling illumination, and per-
8 taining to the conduct of the civilian population of this State during
9 such black-outs, partial black-outs, and periods during which illumina-
10 tion is modified.

11 b. On matters pertaining to air raid warnings and air raids and
12 the conduct of the civilian population during the alert period of an
13 air raid or of a threatened or impending air raid and during and fol-
14 lowing any air raid.

15 c. Concerning the organization, recruiting, training, conduct, du-
16 ties and powers of volunteer agencies, including air raid wardens, aux-
17 iliary police and firemen, demolition and clearance crews, fire watchers,
18 road repair crews, rescue squads, medical corps, nurses' aides corps,
19 decontamination squads, drivers' corps, messengers' corps, emergency
19½ food and housing corps, utility repair squads, and all other civilian pro-
20 tection forces exercising or performing any functions or duties in con-
20½ nection with the problems of local civilian defense.

21 d. The designation of vehicles and persons permitted to move dur-
22 ing an air raid.

23 e. The conduct of the civilian population during the threat of and
24 imminence of danger.

25 f. The method of meeting threatened air raid danger insofar as it
26 affects the children in our schools.

27 g. Concerning the meeting or counteracting of threatened and ac-
28 tual sabotage, subversive activities, and other dangers incident to the
29 war emergency.

30 h. Concerning the method of evacuating residents of threatened dis-
31 tricts and the course of conduct of the civilian population during any
32 necessary evacuation.

33 i. On any matter that may be necessary to protect the health,
34 safety and welfare of the people or that will aid in the prevention of
35 loss to and destruction of property.

36 j. Such other matters whatsoever as are or may become necessary
37 in the fair, impartial, stringent and comprehensive administration of
38 this act.

39 All such orders, rules and regulations when established shall be forth-
40 with promulgated by proclamation of the Governor, which promulgation
40½ shall be deemed to be sufficient notice to the public. All such orders, rules
41 and regulations when promulgated shall be binding upon all political subdi-
42 visions, public agencies, public officials and public employees of this State.
43 All such orders, rules and regulations having to do with the conduct of
44 persons which shall be adopted by the Governor and promulgated as pro-
45 vided herein shall be binding upon each and every person within this State.
46 Upon the adoption and promulgation of orders, rules and regulations as pro-
47 vided above, the civilian defense director shall send a copy to the local chair-
48 man and to the clerk of each municipality of this State in which such order,
49 rule or regulation will take effect. The said municipal clerk shall forthwith
50 post any such order, rule or regulation in a public place in the municipal build-
51 ing.

1 14. The Governor may make such reciprocal orders, rules and regula-
2 tions and special rulings pertaining to any one or more States designated
3 therein as may be necessary in order to effectuate the purposes of this act.

1 15. The Governor is authorized to provide by his rules and regulations
2 that any motor vehicle regulation or traffic act provision or any other regu-
3 latory provision of law, the enforcement of which will be detrimental to the
4 public welfare during any black-out, air raid, threatened air raid, prepara-
5 tions for emergencies or during the threat or imminence of danger in this
6 war emergency, shall be suspended during such black-out, air raid,
7 threatened air raid, preparations for emergencies or during the threat or
8 imminence of danger. The judgment of the Governor on all such matters
9 shall be conclusive.

1 16. The Governor shall be in command in the event of any actual or im-
2 minent or threatened disaster or catastrophe in any wise connected with
3 the war emergency, and the Governor is authorized to designate the per-
4 son to take command anywhere within this State of all civilian defense ac-
4½ tivities in the event of such actual or imminent or threatened disaster or ca-
5 tastrophe, and is further authorized to delegate to such emergency commander
6 any and all powers which in the judgment of the Governor it is deemed neces-
7 sary to delegate. The judgment of the Governor in such matters shall be
8 conclusive. Nothing contained in this section shall be construed to apply to
9 any case where the Federal government has assumed jurisdiction pursuant
10 to the war powers of said government.

1 17. Any person who shall:

2 a. Commit any unauthorized or otherwise unlawful act during the
3 threat or imminence of danger in this war emergency that jeopardizes
4 the health, welfare and safety of the people; or

5 b. Commit any unauthorized or otherwise unlawful act during the
6 threat or imminence of danger during this war emergency that con-
7 tributes to the loss of or destruction to property; or

8 c. Hamper, impede, or in any way interfere with any person who is
9 performing any function authorized under this act; or

10 d. Drive any motor vehicle in a prohibited area during a black-out or
11 while an air raid alert is in progress or in any other manner contrary to
12 the rules and regulations covering any period of danger; or

13 e. Go within a prohibited area contrary to rules and regulations; or

14 f. Refuse to obey the lawful orders of any air raid warden, civilian
15 protection worker, or other person who is duly authorized to perform
16 any act or function during the threat or imminence of danger; or

17 g. Refuse to co-operate with any air raid warden, civilian protection
18 worker, or other person who is duly authorized to perform any act or
19 function in connection with war activities during the threat or imminence
20 of danger; or

21 h. Violate any order, rule or regulation adopted by the Governor
22 and promulgated as provided by this act; or

23 i. Violate any other provision of this act declared herein to be
24 unlawful—

25 shall be adjudged a disorderly person and shall be punished by imprison-
26 ment in the workhouse, penitentiary or county jail for a term not exceeding
27 one year or by a fine not exceeding one hundred seventy-five dollars (\$175.00),
28 or by both such fine and imprisonment, in the discretion of the court.

1 18. Any person who shall knowingly aid or abet another in the viola-
2 tion of any provision of this act shall also be adjudged a disorderly person
3 and punishable in the same manner as the violation aided or abetted.

1 19. a. At any time during the war emergency when conditions within or
2 without the borders of the State have become such that in the opinion of
3 the Governor the lives and property of the people of the State are in
4 imminent danger, the Governor is authorized:

5 (1) To proclaim an extraordinary emergency, and after such
6 proclamation.

7 (2) Temporarily to employ, take or use the personal services, or
8 real or personal property, of any citizen or resident of this State, or
9 of any firm, partnership or unincorporated association doing business or

10 domiciled in this State, or of any corporation incorporated in or doing
11 business in this State, or the real property of a nonresident located in
12 this State, for the purpose of securing the defense of the State or of
13 protecting or promoting the public health, safety or welfare; *provided*,
14 that such personal services or property shall not be employed or used
15 beyond the borders of this State unless otherwise authorized by law.

16 b. Compensation for any personal services required of any natural per-
17 son under the provisions of subsection "a" of this section shall be paid at
18 the same rate as then being paid to privates in the State Guard.

19 c. There is hereby established an emergency compensation board in and
20 for each county of the State, to be composed of three persons appointed by
21 the Governor who shall serve at the will and pleasure of the Governor and
22 without compensation. Wherever the volume of work makes it necessary,
23 the Governor may appoint one or more additional emergency compensation
24 boards in any county of this State. The emergency compensation board
25 shall award reasonable compensation to the party entitled thereto for any
26 property employed, taken or used under the provisions of this subsection
27 and for any injury caused by such employment, taking or using. Any party
28 who deems himself entitled to such compensation as is provided for in this
29 section may file a petition for an award with the board, naming the State
30 as defendant. Such petition shall be filed with an emergency compensation
31 board in the county in which the property was located at the time it was
32 employed, taken or used. A copy of said petition shall be served on the
33 Attorney-General. The board shall thereupon after reasonable and proper
34 notice to the petitioner grant a hearing upon such petition and render a
35 decision fixing the amount of the award. This award shall be paid within
36 one year after the decision is rendered from any funds appropriated by
37 the State for such purpose.

38 d. Any party who deems himself aggrieved by the decision of an emer-
39 gency compensation board of any county shall have the right to bring an
40 action for such compensation against the State as defendant in the Circuit

41 Court of such county, according to the practice and procedure covering
42 condemnation proceedings in such court. Either the State or the petitioner
43 shall have a right to trial by jury in such court.

44 e. When, in the opinion of the Governor, the period of extraordinary
45 emergency has passed, he shall issue a proclamation declaring its end and
46 suspending the powers granted to him under subsection "a" of this section
47 and no petition for an award as provided for in subsection "c" shall
48 be filed after one year from the date of the Governor's proclamation
49 declaring the end of the extraordinary emergency; *provided*, that any mem-
50 ber of the armed forces of the United States whose property was employed,
51 taken or used as provided in said subsection "a" of this section may file such
52 petition within two years after the Governor's proclamation.

1 20. Neither the State nor any political subdivision of the State under
2 any circumstances, nor the agents, officers, employees, servants or represen-
3 tatives of the State or any political subdivision thereof, including all
4 volunteers, in good faith carrying out, complying with, or attempting
5 to comply with, any order, rule or regulation promulgated pursuant to the
6 provisions of this act, or performing any authorized service in connection
7 therewith, shall be liable for any injury or death to persons or damage to
8 property as the result of any such activity. The foregoing shall not affect
9 the right of any person to receive benefits or compensation which may be
10 specifically provided by the provisions of this or any other State or Federal
11 Statute, nor shall it affect the right of any person to recover under the terms
12 of any policy of insurance.

1 21. The unexpended balances of any appropriations heretofore made to
2 the New Jersey Defense Council and to the office of secretary for defense
3 are hereby reappropriated to and shall be available for expenditure by the
4 Governor in order to effectuate the purposes of this act and such appro-
5 priations shall not lapse. The unexpended balances of any appropriations
6 heretofore made to the local defense council is hereby reappropriated to
7 and shall be available for expenditure in the usual manner by the local de-

8 fense council of the respective municipalities established under this act.

1 22. Any person appointed by the Governor or with the approval of the
2 Governor under any provision of this act shall serve only at the will and
3 pleasure of the Governor.

1 23. If any provision of this act or the application thereof to any per-
2 son or circumstances is held invalid, such invalidity shall not affect other
3 provisions or applications of the act which can be given effect without the
4 invalid provision or application, and to this end the provisions of this act
5 are declared to be severable.

1 24. All acts and parts of acts inconsistent with the provisions of this
2 act are hereby repealed, but all local agencies heretofore created and ap-
3 proved by the New Jersey Defense Council are hereby continued subject to
4 the provisions of this act and all orders, rules and regulations of the New
5 Jersey Defense Council heretofore adopted and promulgated shall remain in
6 effect until otherwise ordered by the Governor.

1 25. This act shall take effect immediately and shall become inoperative
2 sixty days after the duly constituted Federal authorities shall proclaim that
3 the war has terminated, with the exception of those provisions of section
4 seventeen applying to compensation, which shall remain operative to the ex-
5 tent that it is or may be necessary to carry out the intent and purpose of said
6 section seventeen.

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3 age to and the destruction of property during the present war emergency
4 by prescribing a course of conduct for the civilian population of this State
5 during such war emergency and by centralizing control of all civilian
6 activities having to do with the war emergency under the Governor and for
7 that purpose to give to the Governor control over such resources of the
8 State government and of each and every political subdivision thereof as may
9 be necessary to cope with any condition that shall arise out of such war
10 emergency and to invest the Governor with all other power convenient or
11 necessary to effectuate such purpose.

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6 services and any privately owned property necessary to avoid or protect
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8 the reasonable value of such services and privately owned property as here-
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1 3. In carrying out the provisions of this act the Governor shall co-
2 operate with the civil, military and naval authorities of the United States
3 and of other States for the purpose of enforcing the defense policies of
4 the government of the United States and shall conform to the laws, orders,
5 rules and regulations of the civilian, military and naval authorities of the
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2 civilian defense director shall be appointed by the Governor and shall hold
3 office at the will and pleasure of the Governor with or without compensa-
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5 effectuating the purposes of this act and, to that end, the Governor is em-
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44 persons which shall be adopted by the Governor and promulgated as pro-
45 vided herein shall be binding upon each and every person within this State.
46 Upon the adoption and promulgation of orders, rules and regulations as pro-
47 vided above, the civilian defense director shall send a copy to the local chair-
48 man and to the clerk of each municipality of this State in which such order,
49 rule or regulation will take effect. The said municipal clerk shall forthwith
50 post any such order, rule or regulation in a public place in the municipal build-
51 ing.

1 14. The Governor may make such reciprocal orders, rules and regula-
2 tions and special rulings pertaining to any one or more States designated
3 therein as may be necessary in order to effectuate the purposes of this act.

1 15. The Governor is authorized to provide by his rules and regulations
2 that any motor vehicle regulation or traffic act provision or any other regu-
3 latory provision of law, the enforcement of which will be detrimental to the
4 public welfare during any black-out, air raid, threatened air raid, prepara-
5 tions for emergencies or during the threat or imminence of danger in this
6 war emergency, shall be suspended during such black-out, air raid,
7 threatened air raid, preparations for emergencies or during the threat or
8 imminence of danger. The judgment of the Governor on all such matters
9 shall be conclusive.

1 16. The Governor shall be in command in the event of any actual or im-
2 minent or threatened disaster or catastrophe in any wise connected with
3 the war emergency, and the Governor is authorized to designate the per-
4 son to take command anywhere within this State of all civilian defense ac-
4½ tivities in the event of such actual or imminent or threatened disaster or ca-
5 tastrophe, and is further authorized to delegate to such emergency commander
6 any and all powers which in the judgment of the Governor it is deemed neces-
7 sary to delegate. The judgment of the Governor in such matters shall be
8 conclusive. Nothing contained in this section shall be construed to apply to
9 any case where the Federal government has assumed jurisdiction pursuant
10 to the war powers of said government.

1 17. Any person who shall:

2 a. Commit any unauthorized or otherwise unlawful act during the
3 threat or imminence of danger in this war emergency that jeopardizes
4 the health, welfare and safety of the people; or

5 b. Commit any unauthorized or otherwise unlawful act during the
6 threat or imminence of danger during this war emergency that con-
7 tributes to the loss of or destruction to property; or

8 c. Hamper, impede, or in any way interfere with any person who is
9 performing any function authorized under this act; or

10 d. Drive any motor vehicle in a prohibited area during a black-out or
11 while an air raid alert is in progress or in any other manner contrary to
12 the rules and regulations covering any period of danger; or

13 e. Go within a prohibited area contrary to rules and regulations; or

14 f. Refuse to obey the lawful orders of any air raid warden, civilian
15 protection worker, or other person who is duly authorized to perform
16 any act or function during the threat or imminence of danger; or

17 g. Refuse to co-operate with any air raid warden, civilian protection
18 worker, or other person who is duly authorized to perform any act or
19 function in connection with war activities during the threat or imminence
20 of danger; or

21 h. Violate any order, rule or regulation adopted by the Governor
22 and promulgated as provided by this act; or

23 i. Violate any other provision of this act declared herein to be
24 unlawful—

25 shall be adjudged a disorderly person and shall be punished by imprison-
26 ment in the workhouse, penitentiary or county jail for a term not exceeding
27 one year or by a fine not exceeding one hundred seventy-five dollars (\$175.00),
28 or by both such fine and imprisonment, in the discretion of the court.

1 18. Any person who shall knowingly aid or abet another in the viola-
2 tion of any provision of this act shall also be adjudged a disorderly person
3 and punishable in the same manner as the violation aided or abetted.

1 19. a. At any time during the war emergency when conditions within or
2 without the borders of the State have become such that in the opinion of
3 the Governor the lives and property of the people of the State are in
4 imminent danger, the Governor is authorized:

5 (1) To proclaim an extraordinary emergency, and after such
6 proclamation.

7 (2) Temporarily to employ, take or use the personal services, or
8 real or personal property, of any citizen or resident of this State, or
9 of any firm, partnership or unincorporated association doing business or

10 domiciled in this State, or of any corporation incorporated in or doing
11 business in this State, or the real property of a nonresident located in
12 this State, for the purpose of securing the defense of the State or of
13 protecting or promoting the public health, safety or welfare; *provided*,
14 that such personal services or property shall not be employed or used
15 beyond the borders of this State unless otherwise authorized by law.

16 b. Compensation for any personal services required of any natural per-
17 son under the provisions of subsection "a" of this section shall be paid at
18 the same rate as then being paid to privates in the State Guard.

19 c. There is hereby established an emergency compensation board in and
20 for each county of the State, to be composed of three persons appointed by
21 the Governor who shall serve at the will and pleasure of the Governor and
22 without compensation. Wherever the volume of work makes it necessary,
23 the Governor may appoint one or more additional emergency compensation
24 boards in any county of this State. The emergency compensation board
25 shall award reasonable compensation to the party entitled thereto for any
26 property employed, taken or used under the provisions of this subsection
27 and for any injury caused by such employment, taking or using. Any party
28 who deems himself entitled to such compensation as is provided for in this
29 section may file a petition for an award with the board, naming the State
30 as defendant. Such petition shall be filed with an emergency compensation
31 board in the county in which the property was located at the time it was
32 employed, taken or used. A copy of said petition shall be served on the
33 Attorney-General. The board shall thereupon after reasonable and proper
34 notice to the petitioner grant a hearing upon such petition and render a
35 decision fixing the amount of the award. This award shall be paid within
36 one year after the decision is rendered from any funds appropriated by
37 the State for such purpose.

38 d. Any party who deems himself aggrieved by the decision of an emer-
39 gency compensation board of any county shall have the right to bring an
40 action for such compensation against the State as defendant in the Circuit

41 Court of such county, according to the practice and procedure covering
42 condemnation proceedings in such court. Either the State or the petitioner
43 shall have a right to trial by jury in such court.

44 e. When, in the opinion of the Governor, the period of extraordinary
45 emergency has passed, he shall issue a proclamation declaring its end and
46 suspending the powers granted to him under subsection "a" of this section
47 and no petition for an award as provided for in subsection "c" shall
48 be filed after one year from the date of the Governor's proclamation
49 declaring the end of the extraordinary emergency; *provided*, that any mem-
50 ber of the armed forces of the United States whose property was employed,
51 taken or used as provided in said subsection "a" of this section may file such
52 petition within two years after the Governor's proclamation.

1 20. Neither the State nor any political subdivision of the State under
2 any circumstances, nor the agents, officers, employees, servants or represen-
3 tatives of the State or any political subdivision thereof, including all
4 volunteers, in good faith carrying out, complying with, or attempting
5 to comply with, any order, rule or regulation promulgated pursuant to the
6 provisions of this act, or performing any authorized service in connection
7 therewith, shall be liable for any injury or death to persons or damage to
8 property as the result of any such activity. The foregoing shall not affect
9 the right of any person to receive benefits or compensation which may be
10 specifically provided by the provisions of this or any other State or Federal
11 Statute, nor shall it affect the right of any person to recover under the terms
12 of any policy of insurance.

1 21. The unexpended balances of any appropriations heretofore made to
2 the New Jersey Defense Council and to the office of secretary for defense
3 are hereby reappropriated to and shall be available for expenditure by the
4 Governor in order to effectuate the purposes of this act and such appro-
5 priations shall not lapse. The unexpended balances of any appropriations
6 heretofore made to the local defense council is hereby reappropriated to
7 and shall be available for expenditure in the usual manner by the local de-

8 fense council of the respective municipalities established under this act.

1 22. Any person appointed by the Governor or with the approval of the
2 Governor under any provision of this act shall serve only at the will and
3 pleasure of the Governor.

1 23. If any provision of this act or the application thereof to any per-
2 son or circumstances is held invalid, such invalidity shall not affect other
3 provisions or applications of the act which can be given effect without the
4 invalid provision or application, and to this end the provisions of this act
5 are declared to be severable.

1 24. All acts and parts of acts inconsistent with the provisions of this
2 act are hereby repealed, but all local agencies heretofore created and ap-
3 proved by the New Jersey Defense Council are hereby continued subject to
4 the provisions of this act and all orders, rules and regulations of the New
5 Jersey Defense Council heretofore adopted and promulgated shall remain in
6 effect until otherwise ordered by the Governor.

1 25. This act shall take effect immediately and shall become inoperative
2 sixty days after the duly constituted Federal authorities shall proclaim that
3 the war has terminated, with the exception of those provisions of section
4 seventeen applying to compensation, which shall remain operative to the ex-
5 tent that it is or may be necessary to carry out the intent and purpose of said
6 section seventeen.